

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)
vs.)
Plaintiff,) 8:22CR188
ALFRED ROGERS,) ORDER
Defendant.)

This matter came before the court on the government's unopposed Motion to Continue Trial [30]. The defendant notified the Court that he was withdrawing his request for a Rule 11 hearing and intended to go to trial in this matter. The defendant does not object to the requested continuance and the motion sufficiently sets forth grounds for the rescheduling of the trial date in this case. Good cause having been shown, the motion should be granted. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [30] granted, as follows:

1. The jury trial, now set for December 4, 2023 is continued to **January 22, 2024**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and January 22, 2024**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would be likely to make a continuation of such proceeding impossible, or result in a miscarriage of justice; or would unreasonably deny the government continuity of counsel, or would deny the attorney for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(i), (iv).
3. A party may object to this order by filing an "Objection to Magistrate Judge's Order" no later than **December 1, 2023**. The objecting party must comply with all requirements of NECrimR 59.2.

DATED November 27, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge